

ORIGINAL
AO 441 (Rev. 7/15) Third Party Summons in a Civil Action

United States District Court
Northern District of Georgia
Atlanta Division

**THIRD PARTY SUMMONS IN A
CIVIL CASE**

Weis-Buy Services, Inc. and Tom Lange
Company, Inc., et al.

PLAINTIFF

CASE NUMBER: 1:02CV2039-TWT

V. DEFENDANT AND THIRD PARTY PLAINTIFF

John Manning Co., Inc.

V. THIRD PARTY DEFENDANT

National Produce Distributors, Inc., et al.

To: Name and address of Third Party Defendant
National Produce Distributors, Inc.
c/o Stephanie Jordan
526 Evergreen Way
Stockbridge, Georgia 30281

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

See attached list

DEFENDANT AND THIRD-PARTY PLAINTIFF'S
ATTORNEY (name and address)

John A. Howard, Esq.
Burr & Forman LLP
600 W. Peachtree Street
Suite 1200
Atlanta, Georgia 30308
(404) 815-3000

an answer to the third-party complaint which is herewith served upon you within 20 days after service of this summons upon you exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the third-party complaint. There is also served upon you herewith a copy of the complaint of the plaintiff. You have the option of answering or not answering the plaintiff's complaint, *unless* (1) this is a case within Rule 9(h) Federal Rules of Civil Procedure, *and* (2) the third-party plaintiff is demanding judgment against you in favor of the original plaintiff under the circumstances described in Rule 14(c) Federal Rules of Civil procedure, in which situation you are required to make your defenses, if any, to the claim of plaintiff as well as to the claim of the third-party plaintiff.

LUTHER D. THOMAS

JUN 02 2003

CLERK

DATE

J. Dugan
(By) DEPUTY CLERK

PLAINTIFFS' ATTORNEYS:

David A. Adelman, Esq.
Keaton & Associates
1278 W. Northwest Highway
Suite 903
Palatine, IL 60067

J. Christopher Simpson, Esq.
James Martin, Esq.
Simpson Law Offices, LLP
550 Pharr Road, Suite 410
Atlanta, GA 30305

Attorneys for Weis-Buy, et al.

Lawrence H. Meuers, Esq.
Katy L. Koestner, Esq.
Meuers Law Firm, P.L.
5395 Park Central Court
Naples, Florida 34109

Jeremy A. Moulton, Esq.
Moulton & Massey, LLC
925 Railroad Street
Conyers, GA 30012

Attorneys for Tom Lange, et al.

AO 441 (Rev. 5/85) Third Party Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the third-party defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the third-party defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input type="checkbox"/> Other (specify): _____ _____ _____		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service of Statement of Service Fees is true and correct.		
Executed on _____ <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;">Date</div> <div style="width: 30%;">Signature of Server</div> <div style="width: 30%;"></div> </div> <div style="text-align: center; margin-top: 10px;"> _____ Address of Server </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

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PLAINTIFF

CASE NUMBER: 1:02CV2039-TWT

V. DEFENDANT AND THIRD PARTY PLAINTIFF

John Manning Co., Inc.

V. THIRD PARTY DEFENDANT

Win Fun Food Corporation a/k/a Win Fun Produce , et al.

To: Name and address of Third Party Defendant
Win Fun Food Corporation a/k/a Win Fun Produce
c/o Yun Qin Li
36 Enterprise Boulevard SW
Atlanta, Georgia 30336

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

See attached list

DEFENDANT AND THIRD-PARTY PLAINTIFF'S
ATTORNEY (name and address)

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Burr & Forman LLP
600 W. Peachtree Street
Suite 1200
Atlanta, Georgia 30308
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LUTHER D. THOMAS

CLERK

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J. Dugg
(By) DEPUTY CLERK

200

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STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service of Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____ Signature of Server _____</p> <p style="text-align: center;">_____ Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.